

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

CHARLOTTE SMITH, ET AL

PLAINTIFFS

VS.

CIVIL ACTION NO. 1:07CV0113-M-D

BRANDON PRESLEY, ET AL

DEFENDANTS

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NOTICE OF DESIGNATION OF EXPERT WITNESSES

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COMES NOW Plaintiffs, Charlotte Smith and Chandler Smith, a Child, by his mother, and files this, their Notice of Designation of Expert Witnesses in this suit, which is pending in the U.S. District Court, and files this Notice of Designation of Expert Witnesses pursuant to the Federal Rules of Civil Procedure and other applicable rules.

EXPERT WITNESSES

- (a) Dwayne Odom      Police Officer/Training Officer  
Expert in Police Procedures and Proper uses of pepper spray  
Telephone No.: (601) 506-8219  
Address: Board on Law Enforcement Officer Standards and training  
3791 Highway 468 West  
Pearl, Mississippi 39208
- (b) Jeff Curtis      Police Officer/Training Officer  
Telephone No.: (601) 506-8219  
(601) 960-1378  
Address: Board on Law Enforcement Officer Standards and training  
3791 Highway 468 West  
Pearl, Mississippi 39208
- (c) Name to be Supplemented later      Employed by Region Three Mental Health  
Address: Youth Court Counselor for Darius Smith  
1619 Highland Drive ( Highway 25 North)  
Amory, Mississippi 38821

EXHIBIT

A



These are the only known expert witnesses, at this time, that the Plaintiffs anticipate calling in the trial of this case.

/s/ Gene Barton

Gene Barton

Post Office Box 147

Okolona, Mississippi 38860

Telephone: (662) 447-2522

Facsimile: (662) 447-2526

Email: [gbartonatty@bellsouth.net](mailto:gbartonatty@bellsouth.net)

Mississippi Bar No. 2102

**ATTORNEY FOR PLAINTIFFS**



**Phyllis Kirkland (114 T.O.)**

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**From:** ecf\_information@msnd.uscourts.gov  
**Sent:** Tuesday, January 22, 2008 2:16 PM  
**To:** ecf\_notice@msnd.uscourts.gov  
**Subject:** Activity in Case 1:07-cv-00113-MPM-SAA Smith et al v. Presley et al Notice (Other)

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**U.S. District Court****Northern District of Mississippi****Notice of Electronic Filing**

The following transaction was entered by Barton, Robert on 1/22/2008 at 2:15 PM CST and filed on 1/22/2008

**Case Name:** Smith et al v. Presley et al  
**Case Number:** 1:07-cv-113  
**Filer:** Charlotte Smith  
**Document Number:** 23

**Docket Text:**

NOTICE by Robert Eugene Barton on behalf of Charlotte Smith (Barton, Robert)

**1:07-cv-113 Notice has been electronically mailed to:**

Robert Eugene Barton gbartonatty@bellsouth.net, gbarton@bellsouth.net

Gary E. Friedman friedmag@phelps.com, barnetts@phelps.com

Mark Nolan Halbert halbertm@phelps.com, schmidt@phelps.com

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**Document description:**Main Document

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**Electronic document Stamp:**

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15c28ce42efd7ef39d9ea11f914a24989955d04c843f408e1564306f60a3]]

1/22/2008



**CERTIFICATE OF SERVICE**

This will certify that the undersigned attorney, Gene Barton, has, this day, delivered a true and correct copy of the above and foregoing Notice of Designation of Expert Witnesses by electronic mail to:

HALBERTM@phelps.com

THIS, the 22<sup>nd</sup> day of January, 2008.

/s/ Gene Barton  
Gene Barton

**Phyllis Kirkland (114 T.O.)**

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**From:** ecf\_information@msnd.uscourts.gov  
**Sent:** Tuesday, January 22, 2008 2:31 PM  
**To:** ecf\_notice@msnd.uscourts.gov  
**Subject:** Activity in Case 1:07-cv-00113-MPM-SAA Smith et al v. Presley et al Notice of Service

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**U.S. District Court**

**Northern District of Mississippi**

**Notice of Electronic Filing**

The following transaction was entered by Barton, Robert on 1/22/2008 at 2:31 PM CST and filed on 1/22/2008

**Case Name:** Smith et al v. Presley et al  
**Case Number:** 1:07-cv-113  
**Filer:** Charlotte Smith  
**Document Number:** 24

**Docket Text:**

NOTICE OF SERVICE of Notice of Designation of Expert Witnesses by Robert Eugene Barton on behalf of Charlotte Smith to Mark Halbert. (Barton, Robert)

**1:07-cv-113 Notice has been electronically mailed to:**

Robert Eugene Barton gbartonatty@bellsouth.net, gbarton@bellsouth.net

Gary E. Friedman friedmag@phelps.com, barnetts@phelps.com

Mark Nolan Halbert halbertm@phelps.com, schmidt@phelps.com

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**Document description:**Main Document

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**Electronic document Stamp:**

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1/22/2008



IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

CHARLOTTE SMITH, ET AL

PLAINTIFFS

VS.

CIVIL ACTION NO. 1:07CV0113-M-D

BRANDON PRESLEY, ET AL

DEFENDANTS

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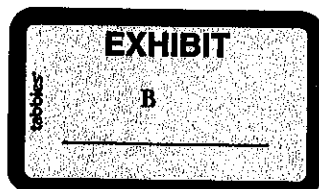
AMENDED NOTICE OF DESIGNATION OF EXPERT WITNESSES

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COMES NOW Plaintiffs, Charlotte Smith and Chandler Smith, a Child, by his mother, and files this, their Notice of Designation of Expert Witnesses in this suit, which is pending in the U.S. District Court, and files this Notice of Designation of Expert Witnesses pursuant to the Federal Rules of Civil Procedure and other applicable rules.

EXPERT WITNESSES

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Expert in Police Procedures and Proper uses of Pepper Spray  
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Address: Youth Court Counselor for Darius Smith  
1619 Highland Drive ( Highway 25 North)  
Amory, Mississippi 38821





These are the only known expert witnesses, at this time, that the Plaintiffs anticipate calling in the trial of this case.

/s/ Gene Barton

Gene Barton

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Okolona, Mississippi 38860

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Email: [gbartonatty@bellsouth.net](mailto:gbartonatty@bellsouth.net)

Mississippi Bar No. 2102

ATTORNEY FOR PLAINTIFFS





**Phyllis Kirkland (114 T.O.)**

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**From:** ecf\_information@msnd.uscourts.gov  
**Sent:** Tuesday, January 22, 2008 2:42 PM  
**To:** ecf\_notice@msnd.uscourts.gov  
**Subject:** Activity in Case 1:07-cv-00113-MPM-SAA Smith et al v. Presley et al Notice (Other)

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**U.S. District Court**

**Northern District of Mississippi**

**Notice of Electronic Filing**

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**Case Name:** Smith et al v. Presley et al  
**Case Number:** 1:07-cv-113  
**Filer:** Charlotte Smith  
**Document Number:** 25

**Docket Text:**

NOTICE by Robert Eugene Barton on behalf of Charlotte Smith (Barton, Robert)

**1:07-cv-113 Notice has been electronically mailed to:**

Robert Eugene Barton gbartonatty@bellsouth.net, gbarton@bellsouth.net

Gary E. Friedman friedmag@phelps.com, barnetts@phelps.com

Mark Nolan Halbert halbertm@phelps.com, schmidt@phelps.com

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**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

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9553f2fb5f7bb8d6ae35015290b4d5af3e7b44b75459ef3f11752f98deaf]]



**CERTIFICATE OF SERVICE**

This will certify that the undersigned attorney, Gene Barton, has, this day, delivered a true and correct copy of the above and foregoing Amended Notice of Designation of Expert

Witnesses by electronic mail to:

[HALBERTM@phelps.com](mailto:HALBERTM@phelps.com)

THIS, the 22<sup>nd</sup> day of January, 2008.

/s/ Gene Barton  
Gene Barton

**Phyllis Kirkland (114 T.O.)**

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**From:** ecf\_information@msnd.uscourts.gov  
**Sent:** Tuesday, January 22, 2008 2:46 PM  
**To:** ecf\_notice@msnd.uscourts.gov  
**Subject:** Activity in Case 1:07-cv-00113-MPM-SAA Smith et al v. Presley et al Notice of Service

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**U.S. District Court**

**Northern District of Mississippi**

**Notice of Electronic Filing**

The following transaction was entered by Barton, Robert on 1/22/2008 at 2:45 PM CST and filed on 1/22/2008

**Case Name:** Smith et al v. Presley et al  
**Case Number:** 1:07-cv-113  
**Filer:** Charlotte Smith  
**Document Number:** 26

**Docket Text:**

NOTICE OF SERVICE of Certificate of Service by Robert Eugene Barton on behalf of Charlotte Smith to Mark Halbert. (Barton, Robert)

**1:07-cv-113 Notice has been electronically mailed to:**

Robert Eugene Barton gbartonatty@bellsouth.net, gbarton@bellsouth.net

Gary E. Friedman friedmag@phelps.com, barnetts@phelps.com

Mark Nolan Halbert halbertm@phelps.com, schmidtp@phelps.com

**1:07-cv-113 Notice has been delivered by other means to:**

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**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1078244644 [Date=1/22/2008] [FileNumber=504125-0]  
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1/22/2008

